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VERNAL
# Express

Single Copy 50¢ | WEDNESDAY, March 13, 1996 | Vernal, Utah 84078 | 104th Year No. 11 • 20 Pages

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# Asphalt given 40-year life

by Steven Wallis
Express Editor

There is enough asphalt at the Uintah County asphalt pit to last 40 to 50 years concluded an extensive study of the county's claim at Asphalt Ridge. The area has been a source of material for the majority of Uintah County's paved roads.

Geologist Bud Covington reported to the Uintah County Commissioners Tuesday, that his findings at Asphalt Ridge should alleviate commissioners' concerns about a two-year limit on material from the site.

Covington said he used data from recent test holes and other test holes drilled in 1993 and 1995 to map the extent of the tar sand reserve. He suggested that the county could extend the life of its reserve by using oil saturated sand to blend with the tar sand for road material. "The county is already blending the tar sands with dry sands at the pit," he said.

A study by a Denver company suggests that the minimum ratio of tar sand to overburden should be at least one part material to every two parts overburden. "There wasn't one area in the county's holding that was below this ratio," Covington said.

"Economically it is cheaper to mine the property than to purchase material elsewhere," Covington said.

Without using the saturated sands to blend with the tar sand, Covington said there were 1.4 million cubic yards of material with 865,000 cubic yards of overburden on the county's Asphalt Ridge property.

Including the saturated sands, Covington said there were 1.5 million cubic yards of material at the site and 688,000 cubic yards of overburden.

The county average use of the asphalt pit is 25,000 tons a year. At the average use, there is a 40 to 50 year reserve.

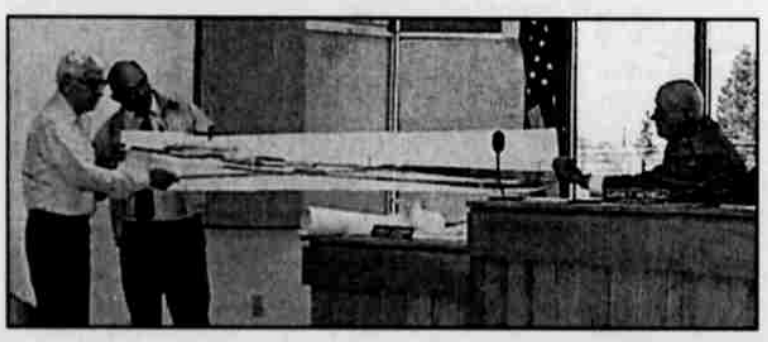
Based on Covington's findings, the county commissioners canceled a five-year contract Rock Asphalt Company signed in November of 1994.

The contract allowed the county a minimum of $1,500 a year to access tar sand reserve located about 10 miles south of the Davis area. The county maintained the contract so it would have an alternative source of material if the Asphalt Ridge site was depleted.

Commissioner Lewis Vincent said Covington has assisted Uintah County in examining the Green River location on State School Section 36. "We could not find an economical supply of asphalt at the Section 36 site," said Commissioner Vincent.

Covington recommended drilling several other test holes at the Asphalt Ridge location. There have been 18 test holes drilled on the county property.

Covington's study should be bound in a couple of weeks.



Bud Covington, geologist, explains map of the county tar sands reserve at Asphalt Ridge. Commissioner Glen McKee, left and Lorin Merrell, right, are pleased by the report.



A new walkway is being planned for the Kids Canal along 1500 West.

# Kids Canal to receive new walkway, bikeway

by Kathleen Irving
Staff Writer

Kids' Canal may soon sport a new walkway/bikeway along its west bank. Such a path already graces a part of the east side of the canal, which flows along 1500 West.

The planned 8-foot protected walkway would run from 500 North to 500 South. The walkway would be bordered by a guardrail on the west and a divider on the east which will protect people from falling into the water on one side and will keep fishing, playing children away from traffic on the other.

Uintah County received approval last year for federal community enhancement funding to construct a pathway between Ashley Elementary and Uintah High School. That project has been temporarily put on hold. Local organizers plan to ask UDOT, the state oversight agency, to transfer the $389,000 already approved, to the Kids' Canal project. They will ask for an additional $110,000 this year as well.

According to Troy Ostler, one of the project organizers, a portion of the path will be created with gabions - cylindrical metal baskets filled with stones - which will be placed along the west bank of the canal. The walkway will be partially built on top of them.

If the federal grant is approved, it will require a twenty percent match of local funds. Ostler says the match could easily come from volunteer labor, particularly from Scout troops. A great deal of help will be needed to fill the gabions.

The Vernal City Council last Wednesday agreed to allow the city to become the lead entity for the project, assuming responsibility for managing the project.

According to Vernal City Manager Ken Bassett, final funding approval is not expected until the end of April, and, due to the large amount of paperwork necessary, would not be started until fall.

# Judge rules against mixed-bloods

In a recent decision, the Federal District Court issued a stunning blow to the terminated Ute Tribe members.

On March 5, Judge J. Thomas Greene ruled that the children of "mixed-blood" Utes are not entitled to hunt and fish on Ute tribal lands. The judge also rejected the claim that people who are descendants from the Uintah Band retain an aboriginal right to hunt and fish on tribal lands. As to the claim, Judge Greene ruled that the Uintah Band's aboriginal rights were extinguished when the Band received payment through the Court of Claims for the relocation of the Whiteriver Band to the Uintah Valley Reservation.

"This decision is an absolute, and much-anticipated, victory for the Ute Indian Tribe," stated Tribal Business Committee member Larry Blackhair. "For years various groups of mixed-bloods and their children have argued that they retain a right to hunt and fish on tribal lands. Judge Greene's order lays to rest, once and for all, those claims by denying them all," Blackhair continued.

For years the Ute Indian Tribe has been involved in disputes concerning the rights of "mixed-blood" and "full-blood" Utes. The two groups exist as a result of legislation enacted by Congress in 1956. In the Ute Termination and Partition Act, federal supervision over the trust and restricted property of Utes who then possessed 1/2 or less degree of Indian blood were terminated. A list of those people was published in the Federal Register Aug. 26, 1961.

According to Judge Greene's recent order, since the listing was published in the Federal Register, the "mixed blood Utes have no longer had the status of federally-recognized Indians." The judge

See Mixed-bloods on page 3

# Five candidates file for office

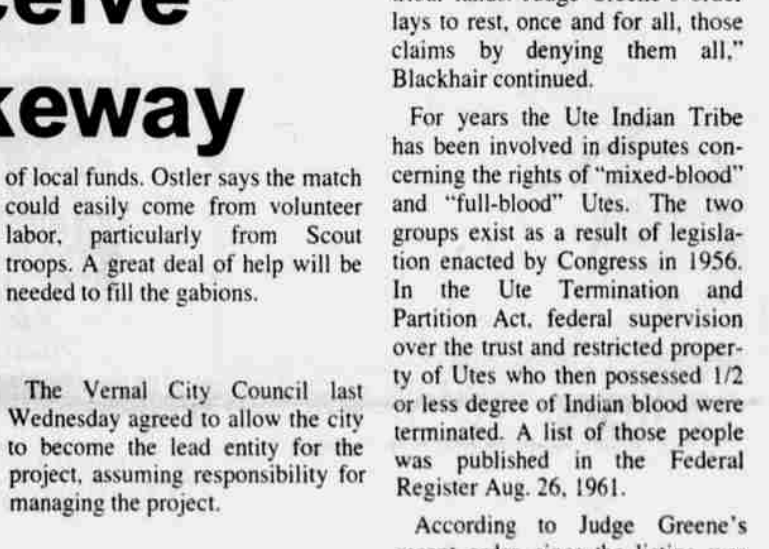
Five candidates have filed for office as of Tuesday.

Rep. Jack Seitz has refiled for State Representative in District 55.

For Uintah County Commissioner, Glen McKee and Shar Benson have filed as Republican and Herb Snyder has file as a Democrat.

For School Board, E. Dale Harrison has filed for District 4, currently held by Gene Harvey.

Candidates have until March 18 at 5 p.m. to file for office.



Chamber manager Greg Hawkins asks Kim Peek who were the winners of a Masters Golf Tournament. Of course, Peek knows the answer.

# DI's new location offers more

by Kathleen Irving
Staff Writer

The Vernal Deseret Industries will hold a grand opening and ribbon cutting ceremony tomorrow afternoon at their new location, 1070 W. Highway 40. The new building will house not only a larger sales floor, but will also provide facilities for expanded training programs.

The Deseret Industries, or the "DI" as it is widely known, is a non-profit enterprise begun by the LDS Church and founded on the principles of work, thrift, giving and sharing. It provides work for those who are currently unemployable, who need improved work skills, or who are receiving welfare assistance from the church.

In addition, the DI offers recycled or refurbished goods to the public at low cost, thereby helping to avoid waste. It also provides opportunities for church members and others to donate goods to help people within their communities and around the world.

LDS Church members believe in "consecrating," or freely giving, part of their worldly possessions to the church for use by the poor and those in need. While some of those donations are monetary, the Deseret Industries was established to accept and distribute other, in-kind donations of clothing and household goods.

The goods are distributed free of charge to needy church members through the leadership of their congregations and to others through the Church's Humanitarian Services. Locally, the DI works with clients of the Roosevelt Homeless Shelter, the Division of Family Services and the Local Interagency Council. Remaining goods are sold at low prices to the public at outlet stores.

According to store manager, Gordon Kitchen, Vernal's DI program was begun in the late 1970s when a drop-off location was established at the old tabernacle annex. Trucks arrived weekly from Provo to pick up donated goods.

As the need here increased, however, trailers of goods were sent back from Provo into Vernal for distribution and sale. The "sell from the trailer" system continued until the fall of 1983 when Bob and Elouise Turner donated the use of the current DI location. Now even that building has been outgrown.

Kitchen, who has managed the DI since 1994, says the new store has 8,900 square feet of space, as compared to the current 2,900 square feet.

"The sales floor will be half again as big as what we've got now," he said. "It will allow us to carry twice as many clothing articles as we have had and to better display merchandise."

But selling recycled goods is only a small part of what Deseret Industries is about. Kitchen sees the worker training programs run by DI as his main mission.

The DI is recognized and approved by the US Department of Labor as a sheltered workshop for the disabled. In Vernal, training is provided in shipping and receiving, truck driving, building maintenance, janitorial services, marketing, merchandising, display and cashiering. The DI philosophy is to provide temporary help and place trainees in other jobs within a year.

At the new location Kitchen will begin teaching a 26 week sales course developed by BYU. Participants of the course will receive certificates upon completion which should help them to get permanent jobs in the business community.

At other Utah locations training in carpentry, upholstery and mattress manufacture is also provided. While the DI sells new wooden furniture and mattresses, it does not compete with local businesses for customers. Rather, much of the furniture is donated to those in need.

"If you give people something sturdy the first time, it lasts longer, and doesn't need to be replaced so quickly," says Kitchen.

Over 21 million pounds of clothing was received at DI's main Sort Center in Salt Lake City last year. Nearly half of that was distributed through Humanitarian Services. A third of it proved unusable as clothing and was made into rags. The rest was distributed to LDS Church members and sold in retail stores. Nothing is wasted.

Kitchen says all the items on sale at the Vernal store are moved within four weeks, providing a constant turnover of goods.

"If we don't sell it here, it's boxed for Humanitarian Services," he said. "If they can't use it, it's made into rags and wipes."

The Vernal DI is self-sustaining. Money generated from the sale of clothing and household goods pays trainees. Any excess goes into the Church's Welfare Services general fund for use throughout the system.

Donations will be accepted at the new store at the back garage door

See DI on page 3

# Peeks talk of respect for others

There is no doubt, Kim Peek prefers BYU, the Jazz and classical music, but he can recall things about almost anything.

His message to members of the Vernal Chamber of Commerce Tuesday was "to recognize and respect differences in others and treat them as you want them to treat you so we can have a better world to live in."

Kim Peek is a person who can recall almost everything he has ever read plus a collection of classical and other music he has heard since age three. He was the inspiriation for the Oscar winning movie "Rain Man."

Growing up, Kim spent countless hours reading at home. He liked to go for rides in the car to look at scenery and read license plates. He could identify places by street lights.

His father, Fran, said that Kim's brain is about 30 percent larger than an average human brain and that it has no left or right side.

Kim reads with his eyes scanning down different pages in a book. He spends about 12 seconds per page and has 98 percent retention of what he reads.

Kim's father, Fran, said that since the movie "Rain Man" in 1988 Kim has spoken to over 535,000 people.

Kim has difficulty doing simple things, but ask him where Farm Creek is, or to sing classical music or who won the World Series in 1976 and he does it effortlessly.

Kim and his father will be visiting elementary schools in the Vernal area Wednesday and Thursday. He speaks without charge. The sponsoring organization pays his expenses.

Marial and Ray E. Nash

# Openhouse to honor Nash

An open house honoring the 48 years of service of attorney Ray E. Nash will be March 15 from 11 a.m. to 5 p.m. at 319 West 100 South, Suite A in Vernal.

Ray and his twin brother, Roy (now deceased), were born in Vernal in 1915. Ray graduated from Uintah High School during the Depression in 1933, and in 1941 he enlisted in the U.S. Army. He served in the theater of operations in Africa as a "garri-trooper" until the surrender of Germany. He was discharged in 1945.

Ray met his wife, Marial Wixom, in 1946 and they were married Sept. 4. Five boys were born to them: Mark, Lee, Ray, Dale and Clyde. Ray earned his J.D. at the University of Utah College of Law in the spring of 1949. He was successful in passing the bar examination in 1949. He began his law practice in Vernal 48 years ago with his first law office in the Coltharp building, now known as the Zions Bank Building. Several years later he relocated to his present office at 319 West 100 South and has shared offices in the past with Bob McRae, JoAnn Stringham, Lee Dever, his son, Mark, Lynn Payne and presently Larry A. Steele.

Ray has been involved with the legal community for many years and has maintained the respect of his fellow lawyers and judges throughout the state. He has been particularly involved with water, water litigation and water rights. He has also served as the Uintah County Attorney and as a Federal U.S. Magistrate for the State of Utah.

He has also enjoyed his ranch in Naples and the raising of cattle. He has been particularly known to produce some good bulls.

His retirement will provide him with more time to spend with his family and his personal interests.

"Any success I have attained to has been because of the wonderful people who have touched my life in one way or another," said Ray. "My dear wife Marial, my family, legal associates, peers, friends and the people of this valley are all great. It has been my happy lot to live among wonderful people for nearly four score years. My thanks to all of you and for the good things you have helped me to experience."

# Moon Lake sets annual meeting

The Board of Directors of Moon Lake Electric have set Saturday, March 16, for its annual members' meeting, to be held at Union High School.

Pre-meeting activities begin at 6 p.m. where Moon Lake members can register, receive their patronage checks, enjoy community Centennial displays, a light meal, and entertainment provided by the local youth group "Stagelight." The business meeting begins at 7 p.m.

Moon Lake Board President Larry Nielsen, said that once again the cooperative's strong financial condition enables a patronage refund to members totaling $1,500,270. At this time the financial condition of Moon Lake is such that the Capital Credits for the year 1981 and a percentage of 6.87 percent between the years 1981 and 1994 will be paid in cash to the members.

Nielsen commented that a trademark of cooperatives is the return of capital credits to its members based on the margins created in proportion to their use of electricity. Moon Lake Electric is owned by its member-consumers, and one way this is reflected is through capital credits. Over the years. Moon Lake has refunded in excess of $13 million to its members under the patronage capital refund program. Members unable to attend this year's meeting will receive their patronage check in the mail the week following the meeting.

Moon Lake members will have an opportunity to hear current reports relative to several important issues affecting the Association. These issues involve up-date reports surrounding debt restructuring efforts on the part of Deseret Generation & Transmission, Moon Lake's wholesale power supplier, as well as other important issues affecting the rapidly changing electric utility industry.

Of special interest at this year's activities will be Community Centennial displays. A group of Moon Lake members from the various communities served by Moon Lake have consented to display various aspects of their community in recognition of the Utah State Centennial Celebration. Moon Lake members needing special accommodations are requested to contact Moon Lake's Roosevelt office.

Lapoint student council members are: first row; Presidents Tiffany Hoopes, Nick McKee, and Derek Nyberg; second row: Daniel Farnsworth, Randi Case, Brittany Murray, Russell Lamb, Kara Page and Elisha Case; third row: Jared Young, Justin Farnsworth, Shasta McKee, Randie Cuch and Kura Myore. Their advisor is Jamee Hartle.

# Man pleas no contest to crime, charge clarified

On March 1 in the 8th District Court, Tren William Turney, 35, of Uintah County pleaded no contest to one count of attempted sexual abuse of a child, a third degree felony.

Turney was originally charged with sexual abuse of a child, a second degree felony, but agreed to a plea bargain to the reduced charge. As part of the agreement Turney voluntarily waived his rights to trial on the charge, and the State of Utah agreed not to pursue charges on any other sexual related offense that it is aware of at the time of signing the plea bargain.

Sentencing for Turney was set for April 26.

In the March 6 edition of the Vernal Express it states that Turney was charged with two counts of forcible sexual abuse and one count of rape. These charges are incorrect according to the 8th District Court records, Turney was only charged with one count of sexual abuse of a child. The Vernal Express apologizes for this error.

# Council provides service

The Lapoint Elementary Student Councils have been involved in community service projects to teach them responsibility and pride.

"Our main goal for the Student Council was to teach them that they are responsible for the kind of world they live in," said Jamee Hartle, Student Council advisor.

"Providing service to others and service in saving our environment fill the children with a great pride they will continue to strive for, for the rest of their lives. With projects and students like these, we can look forward to the upcoming generations," she said.

The first trimester Student Council put together a year of courtesy. Each month there is a courtesy theme, such as: "Moving with Pride," or "Terrific Behavior." When a staff member sees a student exhibiting behavior in conjunction with the theme, they receive a courtesy slip. Courtesy slips are collected during the month. At the end of the month five courtesy slip winners are picked. Each month the "box is stuffed to the max with slips," said Hartle. The council also organized a shoe drive during the holiday season.

The second trimester Student Council organized a fundraiser to help raise money for the Student Council Fund. In all the fundraiser helped to raise about $2,300. $300 was used to buy chocolates for the staff as a thank you for doing a good job. $1,200 will be used to better equip the school. The use of the money will be voted on by the staff. About $300 will be used for upcoming service projects and $500 will be kept in the Student Council fund.

The third trimester Student Council will have its service project in April. The theme of this project will be "Earth Day, Every Day." The goals of this project are to realize that our earth's resources are not going to last forever, and we want to make students, teachers and parents aware of the fact that they can help save the earth in simple ways every day. Recommendations will be to make double sided copies, recycle newspapers, save soda cans and cutting up one-sided junk mail to take messages on.

The project will also be sponsoring a project in the school itself. The project has to reflect the recycling theme. The Student Council will award a $150, $100 and $50 class scholarship to the winners.

Fisherman are warned to stay off Steinaker Lake because of melting ice danger.

# Mixed-bloods...

Continued from page 1

also found that the mixed-blood Utes and their children are not tribal members. Rather, the only members of the Ute Indian Tribe are the Utes who were not terminated in 1961 and their enrolled descendants.

The judge's ruling was issued in an action in which Perry Von Murdock had been cited for hunting on Ute tribal lands without a valid permit. Federal law prohibits any person who, without lawful authority, "knowingly goes upon any land that belongs to an Indian or Indian tribe for the purpose of hunting, trapping or fishing."

Murdock, whose parents' names appear on the list of "mixed-blood" Utes whose membership in the Tribe was terminated in 1961, defended the charge against him by arguing that as the child of former tribal members, he was eligible to hunt on tribal lands and as a Uintah Band descendant, he had an unextinguished aboriginal right to hunt on tribal lands.

In addition to the United States' attorney, the Ute Indian Tribe, Ute Distribution Corporation, Aboriginal Uintah National and Native Civil Rights Project submitted briefs in the case. The latter three groups all claim to represent the "mixed-blood" Utes and their descendants.

# DI...

Continued from page 1

located on the south side of the building. Donation hours are from 8 a.m. until 6 p.m. daily except Sunday. Kitchen said he discourages after-hour donations because items left unattended often disappear.

The ribbon cutting ceremony at the new DI begins at 2 p.m. tomorrow. Elders Earl Tingey and Gene Cook of the Utah South Area Presidency, Gary Winters, Director of Deseret Industries, Larry Whiting, Welfare Services Area Director and Vernal Mayor Leonard Heeney will attend as special guests.

Refreshments and merchandise discounts will be given away during the grand opening.

# Free tax counseling

The AARP is again sponsoring free tax counseling for the elderly and low-income families in the area. Volunteer counselors have been established to help you prepare your taxes.

Contact the counselor nearest to you: Fort Duchesne--Wilta Crumbo, 722-9240; Roosevelt--Ralph Shields, 722-4848 or Mark and Melinda Hicken, 722-3810; Vernal--Vonda Lee Curtis, 789-1719; Duchesne--Edythe Larson, 738-2332; Fruitland--C. Boyd Murdoch, 548-2328.

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